

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14749, of Robert F. McCulloch, pursuant to 11 DCMR 3108.1, for a special exception under Section 2003 to change a nonconforming use from an automatic coin operated laundry with a maximum of 20 machines, to an automatic coin operated laundry with a maximum of 27 machines and a dry cleaning pick-up service on part of the first floor in an R-4 District at premises 300 - 11th Street, S.E., (Square S-990, Lot 812).

HEARING DATE: February 17, 1988

DECISION DATE: April 6, 1988

FINDINGS OF FACT:

1. The subject property known as premises 300 11th Street, S.E., is located on the southeast corner of the intersection of 11th and C Streets, S.E.

2. The subject property is in an R-4 District.

3. The site is rectangular in shape with a frontage of approximately 36 feet along 11th Street, and approximately 80 feet along C Street. The site is improved with a three-story building which houses ten apartments and a laundry facility. The laundry occupies half of the first floor. There are separate entrances to the apartment house and laundromat.

4. The R-4 District extends in all directions from the site, and the area is characterized by row dwellings. There are a few commercial buildings in the area, including three of the four-corner buildings at 11th and C Streets, S.E.

5. The applicant is seeking a special exception under Section 2003 to change a nonconforming use from an automatic coin-operated laundry with a maximum of twenty machines, to an automatic coin-operated laundry with a maximum of twenty-seven machines and a dry-cleaning pick-up service.

6. The applicant had leased the laundry since 1970 to a tenant for use as a 20 machine coin-operated laundromat, but the lease has expired. Because the prior tenant does not wish to renew the lease, the applicant intends to lease the laundry facility to a new tenant to use as a dry cleaning pick-up and twenty-seven machine coin-operated laundromat.

7. The prior tenant has created an unpleasant and dangerous environment for neighborhood residents by allowing persons to engage in loud, offensive, and often dangerous behavior in and around the laundromat.

8. The prior tenant occasionally used the assistance of part-time employees to supervise the laundromat. The employees proved unable or unwilling to control the behavior of persons loitering in or around the laundromat.

9. As a result of the loud, offensive, and dangerous behavior, many residents who could otherwise use the laundromat must travel to other facilities.

10. The prior tenant exacerbated parking and traffic congestion by allowing persons from outside the neighborhood to use the laundry for purposes other than those for which it was designed.

11. The interior of the laundromat and the exterior of the building in which it is located are unsightly and poorly maintained.

12. The new tenant has had five years of experience in the laundry and dry cleaning business. His wife intends to personally supervise the laundromat during business hours.

13. The laundromat is a neighborhood facility and more than 200 neighborhood residents use the laundromat and support approval of the application.

14. The property is in the jurisdiction of Advisory Neighborhood Commission (ANC) 6B. The ANC by report dated February 10, 1988, opposes the application because it fails to address the problems created by the prior tenant (see Findings of Facts 5 and 7) and requests the unnecessary expansion of a non-conforming use which is already larger than necessary to serve the surrounding neighborhood. Having afforded these findings the great weight to which they are entitled, the Board concurs that the existing noise and traffic problems are largely due to the prior tenant but finds that the denial of the applicant's request would only prolong the problems by blocking the proposed change in management. The Board also concurs with the ANC's finding that the present facility is underutilized, but is convinced that the new management will show greater interest in improving the laundromat's appearance and reducing the incidence of loitering in and around the building. These changes would reduce the noise and traffic created by the facility and draw the additional local patrons necessary to justify the expansion. The Board disagrees with the ANC finding that expansion of the existing use will create additional odors because no clothing will be drycleaned on the subject property.

15. The application was opposed by many neighborhood residents who wrote letters to state their opposition for the record. Four of the residents also appeared as parties at the hearing. The Board empathizes with the concerns they expressed but does not find them justified in light of the applicant's intent to lease the laundromat to a more responsible tenant. One resident appeared as a party at the hearing to support the applicant's proposal.

16. The Office of Planning (OP) by report dated February 9, 1988, recommended approval of the application on the following conditions:

- a. The hours of operation are between 7:00 A.M. and 9:00 P.M.
- b. The dry cleaning pick-up and coin-operated laundry service are not operated as separate facilities.
- c. Flammable dry cleaning materials or materials capable of producing strong odors or toxic fumes are not used on the premises.
- d. Approval is granted for a term of three years.

The Board concurs with OP's recommendation, but finds that additional safeguards are necessary to ensure that the laundromat operates in a manner which will not adversely affect neighboring property.

17. The Capitol Hill Restoration Society by letter dated February 12, 1988, voted to approve the application subject to the following conditions:

- a. No dry cleaning machine is installed which contains toxic or flammable solvents.
- b. The special exception is granted for two years to permit timely review.
- c. The hours of operation are between 7:00 A.M. and 9:00 P.M.
- d. An attendant is on duty at all time during the hours of operation.
- e. The dry cleaning pick-up area is designed to provide the attendant with an unobstructed view of the laundry area.